

Message Text

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ACTION AID-31

INFO OCT-01 EA-11 ISO-00 SNM-02 CIAE-00 DRC-01 RSC-01

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FM AMEMBASSY BANGKOK
TO SECSTATE WASHDC PRIORITY 5503

UNCLAS BANGKOK 12342

E.O. 11652: N/A
SUBJ: NARCOTIC PROGRAM: REQUEST FOR SOURCE WAIVER AND
DELEGATION OF CONTRACTING AUTHORITY - HIGHLAND
DEVELOPMENT CONTRACT

REF : A. PIO/T 493-241-3-60062
B. STATE 161601

PASS VANCE, S/NM

I. SOURCE WAIVER

A. PROBLEM: REQUEST FOR SOURCE WAIVER FROM GEOGRAPHIC CODE
000 (U.S. ONLY) TO CODE 935 FOR AERIAL PHOTOGRAPHY TO BE
PROVIDED UNDER A HOST COUNTRY CONTRACT.

COOPERATING COUNTRY: THAILAND
AUTHORIZING DOCUMENT: PIO/T 493-241-3-40062
PROJECT: NARCOTICS, HIGHLAND DEVELOPMENT
PROJECT/SUBPROJECT: HIGHLAND DATA
NATURE OF FUNDING: OTHER (NARCOTICS CONTROL)
DESCRIPTION OF GOODS: ONE NEGATIVE AND TWO PRINTS
EACH IN A SCALE OF 1:15,000 OF 101,225 SQUARE KILOMETERS
OF NORTHERN THAILAND TO BE PRODUCED DURING NEXT FLYING
SEASON BETWEEN OCTOBER 1, 1974 AND FEBRUARY 28, 1975,
AND SHOULD COMMENCE NOT LATER THAN NOVEMBER 1, 1974.

B. DISCUSSION

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1. THE USG HAS UNDERTAKEN TO FINANCE A CONTRACT WHICH WILL PROVIDE SERVICES AS DESCRIBED IN REF.A. RTG CABINET APPROVAL WAS RECEIVED FOR THIS UNDERTAKING JUNE 18, 1974, SUBJECT TO THE CONDITION THAT THE CONTRACT FOR THE SERVICES WOULD BE BETWEEN CONTRACTOR AND THE HOST COUNTRY. THE PROJECT AGREEMENT AND PIO/T WERE SIGNED JUNE 28, 1974. IN ORDER TO ASSURE COMPLETION BEFORE CLOUDY/RAINY SEASON COMMENCES O/A FEBRUARY 28 FLYING SHOULD START NOT LATER THAN NOVEMBER 1, 1974, AND PREFERABLY EARLIER TO TAKE ADVANTAGE OF THE LIMITED GOOD WEATHER IN THE AREA.

2. FOUR FIRMS HAVE ALREADY BEEN IDENTIFIED BY JOINT RTG/MISSION COMMITTEE AS QUALIFIED TO DO THE WORK AND CAPABLE OF TIMELY MOBILIZATION. THEY ARE INTERESTED. AN ADDITIONAL FIRM HAS EXPRESSED AN INTEREST AND WILL BE EXAMINED WITHIN THE NEXT FEW DAYS. THUS, FIVE CANDIDATES ALREADY AVAILABLE (TWO THAI, TWO AMERICAN, ONE BRITISH) AND PREPARED TO SUBMIT PROPOSALS. CABLE SURVEY SEA TURNED UP NO OTHER POTENTIAL CONTRACTORS (OTHER THAN WHOLLY-OWNED JAPANESE FIRMS).

3. IN ORDER THAT CONTRACTOR CAN COMMENCE FLYING ON OCTOBER 1 OR NO LATER THAN NOVEMBER 1, IT WILL BE NECESSARY FOR THE RTG TO:

SELECT QUALIFIED FIRMS
ISSUE RFPS
EVALUATE PROPOSALS
SECURE RTG/DOD AND CAA CLEARANCE (SEE
PARA. C. FOLLOWING)
COMPLETE CONTRACT NEGOTIATIONS
SECURE AID APPROVAL OF CONTRACT AND CONTRACTOR
CONTRACTOR MOBILIZATION

IT IS APPARENT THAT NEITHER MEANINGFUL COMPETITION NOR COMMENCEMENT OF PERFORMANCE BY OCTOBER 1 OR AT LATEST NOVEMBER 1 ARE LIKELY TO BE ACHIEVED UNLESS PROCUREMENT INCLUDES FIRMS IN AREA AND UNLESS AUTHORITY UNCLASSIFIED

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IS DELEGATED TO USOM TO APPROVE CONTRACT AND CONTRACTOR.

C. JUSTIFICATION

1. SECURITY CONSTRAINT: ALL FIRMS CONDUCTING AERIAL SURVEY WORK IN THAILAND MUST HAVE SECURITY CLEARANCE FROM THE RTG MINISTRY OF DEFENSE

COVERING BOTH THE FIRM AND INDIVIDUALS ENGAGED IN THE WORK. WE ARE INFORMED THAT THE TIME NEEDED FOR THIS CAN BE ANYWHERE UP TO SIX MONTHS, AND IT IS THUS VERY DOUBTFUL THAT ANY FIRM UNKNOWN TO THE THAI COULD GET CLEARANCE IN TIME TO PERMIT PARTICIPATION IN THE PROCUREMENT. PRELIMINARY DISCUSSIONS DISCLOSE THAT THE TWO THAI FIRMS HAVE EXISTING SECURITY CLEARANCES, ONE AMERICAN FIRM HAS BEEN SECURITY CLEARED IN THE PAST, AS HAS THE BRITISH FIRM; AND ONE AMERICAN FIRM HAS AN UNKNOWN SECURITY CLEARANCE SITUATION.

2. AIRCRAFT CLEARANCE CONSTRAINT: ALL AIRCRAFT FLYING IN THAILAND MUST BE APPROVED AND CLEARANCED BY THE CIVIL AVIATION AUTHORITY (CAA). AS WITH THE SECURITY CLEARANCE, THIS CAN BE TIME-CONSUMING AND FRUSTRATING. FOUR OF THE IDENTIFIED FIRMS HAVE ACCESS TO AIRCRAFT EITHER IN COUNTRY OR PREVIOUSLY CLEARED BY CAA. THE OTHER FIRM IS BEING QUERIED ON THIS POINT. THE PROBABILITY OF LENGTHY DELAY IN CLEARING AIRCRAFT OF FIRMS WITHOUT THAI BASED AIR ASSETS ARE HIGH.

3. GIVEN THE FOREGOING CONSTRAINTS, IT IS CLEAR THAT IF THIS PROJECT IS TO COMMENCE TIMELY, CONSIDERATION CANNOT BE GIVEN TO FIRMS WHO DO NOT HAVE OR ARE UNABLE TO BY SEPTEMBER 15 RECEIVE RTG DEFENSE DEPARTMENT CLEARANCE AND RTG CIVIL AVIATION ADMIN. CLEARANCE FOR THEIR AIRCRAFT. THE FIVE FIRMS SO FAR IDENTIFIED HAVE THE POTENTIAL FOR SECURING THESE CLEARANCES BY SEPTEMBER 15; USOM DOUBTS ANY FIRM PRESENTLY UNKNOWN TO RTG COULD, AND THUS RECOMMENDS UNCLASSIFIED

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LIMITING PROCUREMENT TO THE FIVE IDENTIFIED FIRMS. USOM BELIEVES THIS WILL PROVIDE ADEQUATE PRICE COMPETITION.

ACTION: REQUEST CABLE REPLY SOONEST AUTHORIZING USOM TO ADVISE RTG THAT PROCUREMENT MAY BE LIMITED TO THE FIVE IDENTIFIED FIRMS.

II. DELEGATION OF AUTHORITY

A. REF A AUTHORIZES THE RTG TO NEGOTIATE CONTRACT FOR AERIAL SURVEY TO BE PROVIDED BETWEEN OCTOBER 1, 1974 AND FEBRUARY 28, 1975. ANTICIPATED COST OF SERVICES CITED REF. A. CONTRACT WILL BE SUBJECT TO RTG REGULATIONS AND APPLICABLE USG LEGISLATIVE

REQUIREMENTS. SINCE NEGOTIATIONS BY RKTG AND PROSPECTIVE CONTRACTORS WILL BE IN BANGKOK, LIMITATIONS OF TIME AND INHERENT DIFFICULTIES IN COMMUNICATION MAKE IT IMPRACTICAL TO EXPECT CONCLUSION OF CONTRACT NEGOTIATIONS IN TIME FOR CONTRACTOR MOBILIZATION PRIOR TO OCTOBER 1 OR NOT LATER THAN NOVEMBER 1, 1974, IF CONTRACT MUST BE APPROVED BY AID/W.

B. VIEW FOREGOING, REQUEST DELEGATION OF AUTHORITY TO MISSION DIRECTOR TO APPROVE CONTRACTOR AND CONTRACT. MISSION WOULD CLEAR CONTRACT THROUGH REGIONAL LEGAL ADVISOR AND IS SECURING PSC SERVICES OF MR. H.L. THUNG, AERIAL PHOTOGRAPHY EXPERT FAMILIAR WITH PREVIOUS SIMILAR NEGOTIATIONS, TO ASSIST RTG IN PREPARATION SCOPE OF WORK, COST ANALYSIS, TECHNICAL REVIEW OF PROPOSALS.

ACTION: REQUEST CABLE REPLY SOONEST AUTHORIZING USOM DIRECTOR TO APPROVE CONTRACTOR AND RTG CONTRACT FOR THIS PROJECT.

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Message Attributes

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